



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

§

In re Application of: Richard W. Chester

Serial No.: 09/248,160

Filed: 02/09/1999

For: S/M FOR INSTALLING PC

SOFTWARE

ATTORNEY DOCKET NO.: RP9-98-096

Examiner:

Melanie A. Kemper

Art Unit:

3622

## APPEAL BRIEF UNDER 37 C.F.R. §1.192

Mail Stop Appeal Briefs - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Brief is submitted in support of the Appeal in the above-identified application.

11/04/2004 MJONES1 00000001 500563

Certificate of Transmission/Mailing

01 FC:1402

1 00000001 500563 09248160

Shereby certify that this correspondence is being facsimile transmitted to the USPTO at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date shown below.

Typed or Printed Name: Jane Graham

Date: October 12, 2004

Signature

e Dealon

10/20/2004 EAREGAY1 00000024 09248160

)1 FC:1251

110.00 (ii)

APPEAL BRIEF Docket No. RP9-98-096 Page 1 of 16 Please charge the amount of \$330.00 for this Notice of Appeal to IBM Deposit Account No. 50-0563. If any additional fees are required, please charge that fee as well as any other fees necessary to further the prosecution of this application to **DEPOSIT ACCOUNT NO. 50-0563**.

Respectfully submitted,

Andrew J. Dillon

Registration No. 29,634

DILLON & YUDELL LLP Intellectual Property Law

8911 North Capital of Texas Highway

Suite 2110

Austin, Texas 78759

(512) 343-6116

ATTORNEY FOR APPELLANT